

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MISSOURI

UNITED STATES OF AMERICA

Case No. 4:16-CR-00363-1-BCW

v.

ORDER ON MOTION FOR
SENTENCE REDUCTION UNDER
18 U.S.C. § 3582(c)(1)(A)

Lisa M. Brooks

(COMPASSIONATE RELEASE)

Upon motion of the defendant the Director of the Bureau of Prisons for a reduction in sentence under 18 U.S.C. § 3582(c)(1)(A), and after considering the applicable factors provided in 18 U.S.C. § 3553(a) and the applicable policy statements issued by the Sentencing Commission,

IT IS ORDERED that the motion is:

GRANTED

The defendant's previously imposed sentence of imprisonment of 108 months is reduced to . If this sentence is less than the amount of time the defendant already served, the sentence is reduced to a time served; or

Time served.

If the defendant's sentence is reduced to time served:

This order is stayed for up to fourteen days, for the verification of the defendant's residence and/or establishment of a release plan, to make appropriate travel arrangements, and to ensure the defendant's safe release. The defendant shall be released as soon as a residence is verified, a release plan is established, appropriate travel arrangements are made,

and it is safe for the defendant to travel. There shall be no delay in ensuring travel arrangements are made. If more than fourteen days are needed to make appropriate travel arrangements and ensure the defendant's safe release, the parties shall immediately notify the court and show cause why the stay should be extended; or

There being a verified residence and an appropriate release plan in place, this order is stayed for up to fourteen days to make appropriate travel arrangements and to ensure the defendant's safe release. The defendant shall be released as soon as appropriate travel arrangements are made and it is safe for the defendant to travel. There shall be no delay in ensuring travel arrangements are made. If more than fourteen days are needed to make appropriate travel arrangements and ensure the defendant's safe release, then the parties shall immediately notify the court and show cause why the stay should be extended.

The defendant must provide the complete address where the defendant will reside upon release to the probation office in the district where they will be released because it was not included in the motion for sentence reduction.

Under 18 U.S.C. § 3582(c)(1)(A), the defendant is ordered to serve a "special term" of probation or supervised release of months (not to exceed the unserved portion of the original term of imprisonment).

The defendant's previously imposed conditions of supervised release apply to the "special term" of supervision; or

The conditions of the "special term" of supervision are as follows:

The defendant's previously imposed conditions of supervised release are unchanged.

The defendant's previously imposed conditions of supervised release are modified as follows:

DEFERRED pending supplemental briefing and/or a hearing. The court DIRECTS the United States Attorney to file a response on or before _____, along with all Bureau of Prisons records (medical, institutional, administrative) relevant to this motion.

DENIED after complete review of the motion on the merits.

FACTORS CONSIDERED (Optional)

Before the court is Defendant's second motion for compassionate release (Doc. #98) the Government's notice of non-opposition (Doc. #99) and Defendant's reply in support of the instant motion (Doc. #100). The Court, being duly advised of the premises, grants said motion.

On June 15, 2023, Defendant filed the instant motion under seal. (Doc. #98). Defendant emphasizes compelling and extraordinary circumstances of a personal and sensitive nature warrant a sentence reduction. On June 28, 2023, the Government filed a notice of non-opposition requesting Defendant immediately begin her four-year term of supervision if the Court grants the instant motion. (Doc. #99). One June 29, 2023, Defendant filed a reply in support of the instant motion emphasizing that in light of the Government's non-opposition, the Court should reduce Defendant's sentence to time served so she can begin her four-year term of supervision originally imposed by this Court. (Doc. #100).

Having reviewed the extraordinary and compelling circumstances presented in the instant motion, the Government's non-opposition, and having considered the factors under 18 U.S.C. §

3553(a), the Court finds Defendant qualifies for a sentence reduction under 18 U.S.C. § 3582(c)(1)(A). The Court therefore grants the instant motion and Defendant's sentence is reduced to time served. Accordingly, it is hereby

ORDERED Defendant's second motion for compassionate release (Doc. #98) is GRANTED. It is further

ORDERED this Order is STAYED up to fourteen (14) days pending the establishment and/or verification of a release plan. Defendant shall be immediately released as soon as her new residency is verified, a release plan is established, and travel arrangements have been made.

IT IS SO ORDERED.

DENIED WITHOUT PREJUDICE because the defendant has not exhausted all administrative remedies as required in 18 U.S.C. § 3582(c)(1)(A), nor have 30 days lapsed since receipt of the defendant's request by the warden of the defendant's facility.

IT IS SO ORDERED.

Dated:

June 30, 2023

/s/ Brian C. Wimes.

UNITED STATES DISTRICT JUDGE